

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7096 of 2015

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Shashi Kumar Singh Son of Late Banwari Singh, R/o Village - Badpur,
P.S. - Maranchi, District - Patna (Bihar).

.... Petitioner/s

Versus

1. The Bihar State Road Transport Corporation through its Administrator,
Bihar at Patna.
2. The Administrator, Bihar State Road Transport Corporation, Bihar at
Patna.
3. The Divisional Manager, Bankipore Division, Patna.
4. The Depot Superintendent, Bankipore Division, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Onkar Nath

For the Respondent/s : Mr. Prabhat Kumar Verma

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

5 03-07-2015 Heard learned counsel for the parties as with regard to
the following relief prayed in this writ application:-

"(i) Commanding the respondents authorities particularly
the respondent No. 2 to do the payment of full salary
along with consequential benefits for the period during
which the petitioner was kept out of service in course of
compulsory retirement.

(ii) Further commanding the respondent authority to
follow with the policy of equality among the equals as
per the service conditions and guideline therewith."

Having regard to the fact that the order of compulsory

retirement of the petitioner was revoked and thereafter he was also exonerated from the charges in the subsequent departmental proceeding and that the Corporation, in the similar cases, has also made payment of salary and emoluments for the interregnum period to the other employees, this Court would find the petitioner also entitled for the same relief. In other words, the petitioner shall be entitled for payment of salary for the period 3.6.2006 to 23.10.2007 in which he was deprived from working on account of action taken and order passed by the respondent Bihar State Road Transport Corporation, prohibiting him to work on account of order of compulsory retirement followed by the departmental proceeding.

That being so, this application is allowed and the respondents are directed to pay full salary and emoluments of the aforesaid period to the petitioner with full consequential benefits within a period of one month from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

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